

Request to establish the fee for contracts for Game Bird Habitat Non-Rule Policy, Natural Resources Commission, Information Bulletin #76; Administrative Cause No. 15-083D

The Division of Fish and Wildlife (DFW) is requesting approval from the Natural Resources Commission to establish a maximum compensation rate of \$330 per acre per year to develop game bird habitat on private land under IC 14-22-8-7. This compensation is based upon the labor and practice rates for habitat development as described in this bulletin. During this year's legislative session, House Bill 1452 was passed that allows the Natural Resources Commission to establish the amount of compensation for contracts with private landowners for the development of game bird habitat on their property. This number was based upon an average of habitat practice costs (from actual costs of establishments) from the U.S. Department of Agriculture's Farm Services Agency practice standards (including tree and shrub establishment for edge feathering and native grass establishment-both of which are crucial for game bird habitat). The District Wildlife Biologists within the DFW prepare management plans for private landowners who sign a development agreement to establish habitat for game birds on their property. The biologists conduct an inspection to ensure the habitat work specified in the development agreement has been completed prior to payment. This increased dollar amount would alleviate the financial constraints currently in place and provide additional motivation for landowners to establish habitat for game birds on their property.

**Natural Resources Commission
Information Bulletin #76
August 1, 2015**

Subject: Game Bird Habitat Contracts (IC 14-22-8-7)

1. Purpose

The purpose of this information bulletin is to establish a maximum rate of monetary compensation to a private landowner under contract to develop game bird habitat on the landowner's property under I.C. 14-22-8-7. This compensation is based upon the labor and practice rates for habitat development as described in this bulletin. Provisions of this bulletin shall be construed to provide flexibility with an understanding that each parcel of property is unique and presents special challenges and opportunities.

2. Background

The Department of Natural Resources (DNR) administers the Game Bird Habitat Restoration Fund (IC 14-22-8-6), and may disburse money from the fund exclusively for the purpose of restoring habitat for game birds in Indiana. IC 14-22-8-7 requires the DNR to contract with landowners to develop game bird habitat on their property. The Natural Resources Commission has authority to determine the monetary compensation per acre per year for a contract with a private landowner who establishes game bird habitat on their property. The rate in Section 3 of this policy is based upon an average of actual costs of habitat establishment following the habitat practice standards of the United States Department of Agriculture's Farm Services Agency.

3. Rate

The monetary compensation rate will be calculated using current material and labor costs based upon the practice and labor standards set forth below but shall not exceed \$330 per acre per year. Actual compensation rates should allow for aggregating various practices and should accommodate innovative practices to achieve the desired results outlined in the game bird habitat development agreement.

Practices Rates

- Establishment of warm season native grasses (materials only: grass/legume/forb seed only) will consider the current cost of seed and number of acres.
- Establishment of cool season grasses (materials only: grass/legume seed only) will consider the current cost of seed and the number of acres.
- Establishment of grain food plots (includes all labor and materials excluding soil tests) will consider the current cost of materials (e.g. seed) and the hourly rate for soil preparation (e.g. tilling, disking) based on Purdue University Extension's estimates for labor for the number of acres. Grain food plots will be used as part of a planned vegetation conversion process and not planted in the same location in successive years.
- Establishment of legume food plots (includes all labor and materials excluding soil tests) will consider the current cost of materials (e.g. seed, inoculant) and the hourly rate for soil preparation (e.g. tilling, disking) based on Purdue University Extension's estimates for labor for the number of acres. Legume food plots will be used as part of a planned vegetation conversion process and not planted in the same location in successive years.
- Establishment of trees/shrubs (includes all labor and materials) will consider the current cost of materials (e.g. seedlings) and the hourly rate for soil preparation (e.g. tilling, disking, drilling) based on Purdue University Extension's estimates, USDA Natural Resources Conservation Service estimates, and IDNR – Division of Forestry Tree Nursery cost estimates for the number of acres.
- Woodland edge feathering, brush pile construction, forest opening and fencerow rehabilitation (includes all labor and materials costs) will consider current cost of materials (e.g. chainsaw fuel, legume seeds, shrubs) and the hourly rate for vegetation and soil preparation (e.g. chain sawing, limb removal, tilling, disking) based on Purdue University Extension's and/or equipment rental estimates for the number of acres.
- Interseeding legumes (materials only) will consider the current cost of legume seed and inoculant for the number of acres.
- Winter Wheat establishment (seed only) will consider the current cost of wheat seed for the number of acres.
- Interseeding forbs (materials only) will consider the current cost of forbs for the number of acres.

Labor Rates

- Control burning will consider the current cost for a professional's labor per acre burned.
- Disking (includes all passes needed to achieve desired result) will consider Purdue University Extension and/or USDA Natural Resources Conservation Service estimates for labor.
- Raking (includes all passes needed to achieve desired result), drilling, mowing, chemical application, broadcasting and culti-packing will consider Purdue University Extension estimates for labor.
- Soil testing will consider Purdue University Extension estimates.
- Heavy equipment (e.g. bulldozer, backhoe, Fecon), used for edge feathering, fencerow rehabilitation, forest openings and other similar purposes will consider the cost based upon estimate provided by the landowner.